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TO RUEHC/SECSTATE WASHDC IMMEDIATE 6839
INFO RUEHKA/AMEMBASSY DHAKA PRIORITY 0418
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 7405
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 5532
RUEHLO/AMEMBASSY LONDON PRIORITY 4031
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1379
RUEHNY/AMEMBASSY OSLO PRIORITY 4094
RUEHKO/AMEMBASSY TOKYO PRIORITY 3180
RUEHCG/AMCONSUL CHENNAI PRIORITY 7998
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SUBJECT: SRI LANKA: PRESIDENT'S BROTHER BASIL TAKES A
VACANT SEAT IN PARLIAMENT

¶1. (U) The President's brother, Basil Rajapaksa, took a seat in parliament today, replacing Muslim MP Anver Ismail, who died recently, reportedly from alcohol-related illness. Speaker of Parliament Lokubandara swore in Basil, whose nomination had gone the previous day to the Election Commissioner as Ismail's replacement. Basil's swearing-in unleashed pandemonium in Parliament, causing the Speaker to suspend the session briefly.

¶2. (SBU) Opposition Members of Parliament, especially from the United National Party (UNP), protested Basil's nomination on the grounds that the seat was technically the UNP's to fill. A noted Sri Lankan constitutional lawyer agreed with the UNP interpretation, noting that Ismail had previously belonged to the Sri Lankan Muslim Congress (SLMC), which had campaigned and won the seat under the UNP banner. Under the Sri Lankan Constitution, the parliamentary mandate belongs not to the person, but the party. However, our expert noted that it would have been up to the UNP and the SLMC to take legal action against Ismail when he resigned from the SLMC, so the legal situation was not clear.

¶3. (U) According to press reports, President Mahinda Rajapaksa will move soon to appoint his brother Basil as Minister of Nation Building. The President currently holds that portfolio himself, but Basil has been carrying out those functions as the government's point man on the redevelopment of the East. The National Congress under M.L.M. Athaullah (a breakaway from the SLMC to which Ismail belonged) had reportedly received assurances from the Rajapaksas that despite having to give up one of their seats to Basil, they would be allowed to appoint one of their backbenchers to fill Ismail's post as non-Cabinet Minister of Irrigation.

¶4. (SBU) COMMENT: It is unlikely that Muslims in Ismail's southeastern constituency will be enthused by the appointment of Basil, a Sinhalese Buddhist, to represent them. It is also unlikely that Basil can defend this seat in the next general election. In the long run, it will probably hurt the

President's standing among Sir Lankan Muslims and his party's chances in the southeast. However, in this case, the overriding consideration was the President's desire to seize the opportunity to make Basil an MP and a Minister, thereby making sure that the opposition was not able to pick up the seat. Basil will now be able to defend himself in person against charges that he secured his brother's election as President in 2005 by arranging a deal with the LTTE to suppress Tamil votes in the north and east. Parliament is scheduled to take up the debate on this tomorrow, September 20.

BLAKE